#### OFFICE OF THE UNDER SECRETARY OF DEFENSE



## 3000 DEFENSE PENTAGON WASHINGTON, DC 20301-3000

DEC 3 1 2015

MEMORANDUM FOR COMMANDER UNITED STATES SPECIAL OPERATIONS
COMMAND (ATTN: ACQUISITION EXECUTIVE)
COMMANDER, UNITED STATES TRANSPORTATION
COMMAND (ATTN: ACQUISITION EXECUTIVE)
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: FY15 Procurement Management Review "Year in Review" Newsletter

To facilitate management oversight of the procurement function, the Defense Contract Management Agency (DCMA) leads independent reviews of the procurement function of each Other Defense Agency and Defense Field Activity that performs contracting operations. These reviews assess the effectiveness of the contracting function, analyze and assist in any problem areas, and identify noteworthy practices that may be beneficial to all organizations.

In the interest of enhancing the performance of contracting personnel throughout the Department, the DCMA Procurement Management Review (PMR) team has prepared the attached newsletter to share their observations, best practices, and lessons learned. This second annual newsletter also contains tips for preparing for a PMR.

I encourage your wide distribution of the newsletter, as many of the PMR findings have broad application throughout the contracting community and across all DoD Components.

My point of contact for PMRs is Mr. Michael Pelkey, at 703-614-1253 or michael.f.pelkey.civ@mail.mil. You may also address comments or questions to the PMR program manager, Tara Petersen, at 804-734-0487 or tara.petersen@dcma.mil.

Claire M. Grady

Director, Defense Procurement and Acquisition Policy

Attachment: As stated

DEPUTY ASSISTANT SECRETARY OF THE ARMY (PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE NAVY (ACQUISITION AND PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE (CONTRACTING)

# DOD PROCUREMENT MANAGEMENT REVIEW PROGRAM

# FISCAL YEAR 2015 - A YEAR IN REVIEW

# TWO PERSPECTIVES ON PMR PARTICIPATION

The Defense Microelectronics Activity (DMEA), located in Sacramento, California, underwent their first DoD PMR in January 2015. Having previously been delegated authority through the US Army Corps of Engineers, DMEA was delegated contracting authority via DPAP in Sept 2013 making them subject to the PMR program. Kathleen Griest volunteered as a PMR team member to help her organization prepare for their upcoming review, she offers her thoughts on the experience both from a team member's perspective and from the activity under review:

Since we knew DMEA was on the FY15 schedule for a PMR. I immediately volunteered to attend another agency's PMR as a team member. I had the pleasure of participating in the PMR for the Defense Human Resources Activity (DHRA) in Oct/Nov 2014 which became an extremely valuable information gathering session. Not only did I learn how indepth the PMR team goes into the contract files and all of the processes to conduct a PMR, I gathered lessons learned from DHRA on how they put their welcome package together and what to do to prepare for the PMR. It also gave me a perspective of how another agency conducts business. One of my favorite things during the three week review was

when the PMR team members would have in-depth discussions about policies and procedures and the applicability as to why they were in place and how they fit into each organization.

I knew for DMEA, this was going to be an important PMR. When I returned, we gathered information, reviewed files, organized processes, briefed DMEA personnel on what to expect in this process, and put together the required packages for the PMR team. The team arrived on Jan 26. 2015 and because of all of the upfront preparation, the inprocessing went smoothly. It was a day filled with briefings and orientations. The review began and the findings provided multiple

#### YOUR PMR TEAM

#### PROGRAM MANAGER:

Tara Petersen, DCMA tara,petersen@dcma.mil 804-734-0487

#### PERMANENT PMR TEAM MEMBERS:

#### Welcome:

Harry Simmons, DCMA Harry Simmons Jr@dcma.mil 804-734-0439

#### Farewell:

\*Beth Brown, DCMA (\*departed team Feb 2015)

# A huge THANK YOU to our FY15 Augmentees:

Kathleen Griest, DMEA
Patricia Watson, WHS
Luke Baey, DCMA
Jill Wodochek, USTRANSCOM
Sal Cianci, DAU
Jean French, DLA
Lisa Schneider, DAU
Donna Berry, NSA
Damon Moore, DLA
Glenna Paulson, DIA
Daniel Fadely, DLA
Cassandra Pendergraft, MDA
Debbie Dean, DCMA

The call for FY17 volunteers will be issued in the May/June timeframe. PMR team participation is a career enhancing opportunity and a great learning experience. commendations, great suggestions and great recommendations. What impressed me most during the review was that the team was very open to discussions with DMEA contracting management. There were brainstorming sessions around our current processes and how

to implement some of the suggestions/alternatives to best fit the DMEA mission. The suggestions helped improve what we already had in place and they offered suggestions to streamline processes that seemed excessive. DMEA was able to make changes real time and complete some of these

before the PMR team left.

Other areas of improvement took more time and change continued following the team's departure. We took to heart all that was given to us in this PMR, received invaluable information and look forward to future PMRs.

#### IT ALL COMES DOWN TO THE DOCUMENTATION!

<u>DOCUMENTATION!</u> The official contract file should reflect all actions taken with respect to any contract. Thorough and complete documentation is not only required by FAR 4.801, it is critical to ensure anyone who picks up a file can fully understand not only WHAT took place, but WHY it was done. We continued to observe insufficient documentation across the board in FY15 reviews. The following list represents some of the most common documentation issues:

- Files often document decisions without documenting the rationale. For example, files often don't
  explain the reason for a contract modification or for a determination that the mod is within contract
  scope. Similarly, files should document the information considered in making decisions like
  commercial item determinations, technical evaluations of proposals, or changes in contracting
  strategy.
- Market research documentation didn't explain how it was used to determine strategies.
- Official contract files are often missing key documents. Many contracting requirements are
  implemented using centralized electronic systems (CPARS, CORT, FedBizOps, etc.), but official
  contract files still need to reflect complete documentation of actions taken. If hard copies are not
  retained in the file, then the file should reference where the appropriate record is retained. Keep in
  mind that those records need to be continuously accessible, not deleted or archived.
- Official conversations leading to contract action (i.e. modifications, changes in strategy) were not sufficiently documented...<u>See page 3 for what DMEA is doing!</u>
- Pricing of GSA orders didn't demonstrate traceability back to schedule prices to show compliance.
- IGCEs were often relied on to determine prices fair and reasonable, but documentation didn't establish why the IGCE was a good basis for comparison.
- COR documentation is not being retained in official contract files.
- Technical evaluation documentation didn't reflect compliance with evaluation criteria outlined in solicitations.

#### WHAT ELSE NEEDS WORK?

Negotiation: The team often observed acceptance of proposed prices without negotiation. These may represent lost opportunities to save money or obtain better business deals

COR Oversight: Annual COR file reviews are not being accomplished. CORs often stated that their files had never been looked at by the contracting office and they were often unaware of what documentation they are required to retain. Contracting officers must ensure that duties delegated to CORs are being executed appropriately.

#### THINGS THAT MADE US SMILE (\*\*)



The PMR team continues to observe many exceptional practices and tools that are contributing to mission success.

Multiple agencies displayed the following:

- Just as we observed last year, the overall dedication of the DoD contracting workforce and commitment to mission success is impressive. We also continued to see comprehensive acquisition team collaboration and communication.
- Flexible work schedules, telework, and wellness programs continue to contribute to high employee morale and help retain top performers.
- Contracting leaders are consistently making development of their people a priority. We saw great support of employee development opportunities, robust training programs, and partnerships with DAU.
- Internal and external websites and electronic libraries are in wide use and provide ready resources to customers, CORs and contract specialists with easy access to templates, policies, samples & guidance.
- More agencies are moving to electronic contract file systems. We found these systems to be easy to navigate and noted a distinct improvement in the completeness and consistency of contract files.

#### And more specifically:

- The Defense Human Resources Activity (DHRA) uses a multi-functional panel to review acquisitions at three stages; acquisition planning, solicitation, and award. Panel meetings offer the opportunity to answer questions and add, delete or clarify information in documents. This boarding process fosters a sense of teaming and facilitates understanding of the technical and contracting requirements.
- The <u>Defense Microelectronics Activity (DMEA)</u> consistently documents a chronology of events for each contract. All actions, whether minor or significant, are incrementally documented to build an informal memorandum that provides a clear timeline of events. The PMR team found this document "filled in the gaps" to create a fully documented contract file and often provided context which aided understanding of other file documents.
- The Defense Finance and Accounting Service (DFAS) is conducting surveillance of Government Purchase Card files in a virtual environment. Documentation is uploaded to an ePortal to facilitate efficient review of geographically separated units.
- The Washington Headquarters Service (WHS) has a highly effective "Suggestion Box" program. The WHS workforce has observed that their leaders thoughtfully evaluate all suggestions and have implemented many of them. Employees view the suggestion box as an effective tool to participate in the improvement of their organization and a viable means of having their voice heard, leading to improved morale and retention.
- The Defense Security Service (DSS) made post award contract management a priority by establishing an agency strategic objective to improve contractor performance through proper oversight. DSS created a Chief COR position to act as a liaison between the contracting office and CORs in requiring activities. The single POC for training, questions, and guidance has greatly improved COR understanding of their roles and responsibilities. DSS leadership emphasis fosters communication and accountability.

#### THINK BEFORE YOU FILE

The question of what should go into the official contract file is getting harder and harder to answer. Electronic processes and communications increase speed, but have muddied what should go into a file. Every document in an official contract file should have a purpose directly related to the planning, solicitation, evaluation, award, and administration of the contract. The documents need to be sufficient to constitute a complete history of the transaction, but they should communicate that history clearly and efficiently. The PMR team is seeing improper documentation in files, including documentation that is incomplete, creates confusion or is superfluous.

E-mail correspondence is now a primary means of communication concerning contract actions. It is quick and easy to save, however it is often an informal communication method containing personal chit chat and non-contract related comments. PMR teams frequently had to wade through extensive e-mail trails to piece together a conversation to try to determine the decisions made, often having to make assumptions or draw inferences because the documentation available doesn't clearly outline the situation. Decisions documented only in e-mail traffic can be difficult to find as they are buried among other e-mails. E-mails often lack a signature block or the title of the decision-maker, making it difficult to determine who made a decision or whether that person had the appropriate authority.

Contracting personnel must do some critical thinking prior to putting e-mail correspondence into the file. Questions to be considered; Does the e-mail contain verbiage inappropriate for an official contract file? Does the e-mail provide a clear, succinct summary of the information for the contract file? If the e-mail represents a decision, is all necessary information to support that decision contained in the e-mail or is a memorandum more appropriate? Should a formal approval signature be obtained for that decision? A good rule of thumb to keep in mind: make it easy to find and understand both the decision and the rationale for the decision. Use a memorandum for the record to summarize voluminous documentation and retain copies of e-mail for back-up.

One final thought: it isn't true that the thicker the file, the better, especially when it comes to e-mails. E-mail trails often have multiple recipients responding to a single message and contract specialists may file every version of the trail. The PMR team sees a lot of duplicate e-mails in contract files, which makes finding relevant information even harder. The purpose of the contract file is to document and explain the action, and direct, succinct communication is always more effective.

	FY 16 PMR Schedule:	
	Oct 19-Nov 6	Uniformed Services University of the
		Health Sciences (USUHS)
	Jan 25-Feb 12	Defense Health Agency (DHA)
	Mar 7-25	Defense Intelligence Agency (DIA)
I	Apr18-May 6	Defense Commissary Agency (DeCA)
I	Jun 6-24	Joint Improvised Explosive Device
		Defeat Organization (JIEDDO)
	Jul 18-Aug 5	United States Transportation Command

# Who's on Deck? Tentative FY17 Reviews: Defense Security Service (DSS) National Geospatial Intelligence Agency (NGA) Defense Security Cooperation Agency (DSCA) United States Special Operations Command (USSOCOM) National Security Agency (NSA) Defense Threat Reduction Agency (DTRA)

# ACQUISITION, TECHNOLOGY AND LOGISTICS

#### OFFICE OF THE UNDER SECRETARY OF DEFENSE

## 3000 DEFENSE PENTAGON WASHINGTON, DC 20301-3000

OCT 1 7 2014

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: FY14 Procurement Management Review "Year in Review" Newsletter

To facilitate management oversight of the procurement function, the Defense Contract Management Agency (DCMA) leads independent reviews of the procurement function of each Other Defense Agency and Defense Field Activity that performs contracting operations. These reviews assess the effectiveness of the contracting function, analyze and assist in any problem areas, and identify noteworthy practices that may be beneficial to all organizations.

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My point of contact for PMRs is Mr. Michael Pelkey, at 703-614-1253 or Michael.f.pelkey.civ@mail.mil. You may also address comments or questions to the PMR program manager, Tara Petersen, at 804-734-0487 or tara.petersen@dcma.mil.

Richard Ginman

Director, Defense Procurement and Acquisition Policy

Attachment: As stated

#### DISTRIBUTION:

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COMMANDER, UNITED STATES TRANSPORTATION COMMAND

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DIRECTOR, DEFENSE CONTRACT MANAGEMENT AGENCY

DIRECTOR, DEFENSE FINANCE AND ACCOUNTING SERVICE

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DIRECTOR, WASHINGTON HEADQUARTERS SERVICES

#### cc.

DEPUTY ASSISTANT SECRETARY OF THE ARMY (PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE NAVY (ACQUISITION & PROCUREMENT)
DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE (CONTRACTING)

# DOD PROCUREMENT MANAGEMENT REVIEW PROGRAM

# FISCAL YEAR 2014 - YEAR IN REVIEW

#### PMR INFORMATION SHARING

THE HEART OF THE

PROGRAM IS TO HELP

CONTRACTING

**ORGANIZATIONS** 

CONTRIBUTE TO THE

SUCCESS OF THEIR

AGENCY'S MISSION.

#### The Birth of a Newsletter

The purpose of Procurement Management Reviews (PMRs) isn't just to assess the extent of compliance with statutes, regulations and policies by the

contracting operations at Other Defense Agencies (ODAs). The heart of the program is to help contracting organizations

contribute to the success of their Agency's mission. This is done through advice and consultation provided by experienced contracting professionals who make up the review teams and through the sharing of best

practices. That is where this newsletter comes in. This is the inaugural edition of what is intended to be an annual newsletter where we will share

observations of trends, things to avoid, best practices and tips for success gleaned from ODA PMRs. The team invites suggestions and requests for

content to help make this newsletter a valuable resource for continuous improvement.
Submit your ideas, requests, or feedback to Ms. Beth Brown at Elizabeth.brown@dcma.mil, or talk to us when we visit!

# SOMETHING WICKED THIS WAY COMES... Is your next PMR on the horizon?

If you're on the schedule to be reviewed in FY15, here's what you should be doing now.

1. Review your last PMR report. Determine if corrective actions were effective and enduring. If issues haven't been corrected, what has been,

or is being, done?

- Conduct self-inspections or peer reviews. Identify areas of concern and develop plans to address them.
- 3. Review and update local policies and/or clauses.
- Identify information the PMR team will need to understand your business.

#### YOUR PMR TEAM

#### PROGRAM MANAGER:

Tara Petersen, DCMA tara.petersen@dcma.mil 804-734-0487

# PERMANENT PMR TEAM MEMBERS:

Elizabeth Brown, DCMA
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\*Richard Deiter, DCMA
(\*departed team Aug 2014)

#### A huge THANK YOU to our FY14 Augmentees:

Lance Black, DLA John Cannaday, DAU David Clemens, WHS Michelle Creenan, USUHS Jessica Downing, DARPA Jean French, DLA Sara Higgins, DPAP David Miller, DTRA Chris Nietubyc, DIA Jay Norris, DCMA Chris Paitson, USSOCOM Brenda Pommerenke, NGA Dan Poskey, MDA Lisa Schneider, DAU Michael Schuman, WHS Aaron Schwarz, DISA Chris Stiller, USSOCOM Anthony Watson, USSOCOM

The call for volunteers is typically issued in the May/June timeframe. Participation is a great learning experience. http://www.acq.osd.mil/dpap/policy/policyvault/USA002564-14-DPAP.pdf

## THREE STEPS TO SETTING YOUR PMR TEAM UP FOR SUCCESS:

1

Building security and computer access are often the biggest challenges on Day 1. Iron out these issues before the review begins.

2

Orient the PMR team to your unique challenges and share your successes in your in-brief. This gives the team perspective.

3

Provide access to the same systems available to the workforce for reference to policies, tools, training, and other electronic files.

# TAKE NOTE - Workplace excellence enhances the mission:

The team observed many exceptional practices, tools, and environmental factors that contribute to mission success. Some of the more noteworthy are:

- A dedicated Agency workforce and commitment to mission success.
- Comprehensive collaboration and communication throughout the acquisition team.
- Flexible schedules, telework, and wellness programs contribute to high employee morale.
- Several agencies have developed outstanding intranet or electronic libraries. These act as ready resources to contract specialists for access to templates, policies, samples & guidance, and eliminate the need to search multiple portals.
- The <u>Defense Information Systems Agency (DISA)</u> and the <u>Defense Advanced Research</u>
   <u>Projects Agency (DARPA)</u> have successfully made the leap to electronic contract files! We
   found that electronic files facilitate consistency in contract file organization and clearly show
   if required documents are present. They also enable collaboration between geographically
   separated offices and easy transfer of documents for review.
- <u>DISA</u> developed a Cyber Procurement Certification covering IT, telecom, and cyber purchasing competencies. Certification will ensure their workforce has technical knowledge and skills that enhance support of complicated cyber procurement requirements; a great example of the importance of understanding what you buy!
- The <u>Missile Defense Agency (MDA)</u> has a dynamic small business program that is highly active in industry outreach and small business development. Efforts include hosting small business industry days that provide information regarding upcoming opportunities, and facilitating partnerships between high performing small businesses and large companies under the Mentor Protégé Program, or through joint ventures and other partnering relationships.
- The <u>Defense Threat Reduction Agency (DTRA)</u> designates "Training Weeks" twice a year
  where the entire contracting department focuses on refining their acquisition knowledge with
  access to training on a broad range of topics from in-house and guest speakers. These
  training weeks also support workforce attainment of Continuous Learning Points (CLPs).
- The <u>Defense Contract Management Agency (DCMA)</u> has established a Service Acquisition Review Board (SARB) and the <u>Department of Defense Education Activity (DoDEA)</u> has established an Advance Acquisition Review Board (AARB). Both boards engage top level leadership and cross-functional stakeholders in review and approval of acquisition requirements, providing for enterprise perspective and strategic purchasing decisions.

#### WHAT WE NEED TO WORK ON:

- <u>Document, Document!</u> Insufficient documentation was the most prevalent finding. Together with interviews of agency personnel, reviews of contract files are the primary basis of a PMR assessment. FAR 4.801 specifically states the <u>documentation in the files shall be sufficient to constitute a complete history of the transaction for the purpose of –
  </u>
  - (1) Providing a complete background as a basis for informed decisions at each step in the acquisition process;
  - (2) Supporting actions taken;
  - (3) Providing information for reviews and investigations; and
  - (4) Furnishing essential facts in the event of litigation or congressional inquiries. If an action isn't documented, reviewers can only assume it wasn't done. The file must clearly explain to someone with no knowledge of the action (say a PMR reviewer) exactly what took place, what analysis was done, and why the decision maker made the decision they did.

Definitely document... but not this way. Actual examples of statements found in files; "The price is what it is," "Consideration could be an old piece of furniture around your house that you don't want anymore," "My contracting officer is a stickler and is making me ask."

- Checklists/Templates are tools PMR teams noted a distinct trend toward use of checklists
  and templates. While intended to guide personnel in compiling appropriate documentation,
  reliance on checklists and templates sometimes has the effect of reducing the depth of
  analysis and substance reflected in contract files. Checklists and templates are good tools
  that facilitate presentation of information in a consistent manner, serve to ease or streamline
  the effort needed to prepare documents, and ensure required documents or elements are
  present. But don't let them become a crutch. Use of these tools should enhance critical
  thinking, analysis, and application of business acumen to support program management and
  contract actions.
- Technical Evaluations often lacked evidence of critical analysis, were insufficient as a basis for negotiation, or were inconsistent with stated evaluation criteria. The technical analyst must document the basis for his/her findings, not merely state that "the proposal is acceptable."
- Pricing Documentation reflects a propensity to accept proposed prices and an aversion to negotiation. Independent government estimates were not supported with information on how the estimates were developed. Cost and/or price analysis often did not reflect enough detail to support a fair and reasonable price determination.
- Post Award Contract awards and obligation of dollars are only half the battle.
  Documentation of post award actions needs improvement. Focus on obligations is ineffective
  if the Government doesn't actually get what we contracted for. PMR teams consistently
  failed to see evidence that Contracting Officers are reviewing COR actions/files,
  documenting issues as they arise, holding meetings to discuss problems, and/or taking action
  to resolve problems. Contract completion documentation and timely close-out was often
  lacking.
- Modifications Supporting documentation for modifications was often minimal, with little
  explanation of the authority, content, or price for the modification.
- **Details Matter** Misalignment of effective dates created confusion. Contracting officers must ensure effective dates align with periods of performance, funding dates, and signatures.

#### AFTER THE REVIEW

The 5 Stages of Post-PMR Grief

The nature of a PMR tends to put the organization under review in a defensive posture. Let's face it, you worked hard to prepare for the review and put your organization's best foot forward. You feel like you're under the microscope. You have strangers questioning your actions and making judgments based on what you often feel is an incomplete picture. Post-PMR feelings can be strong and resentful. (We know, we've been there.) The process of working through those feelings is very much like working through the stages of grief:

 Denial – "Those PMR team members don't know what they're talking about." "They

- don't understand what we have to deal with here!"
- Anger or Defensiveness "Who is to blame for this? The PMR team? The customer? Lucy (who has since left the organization)?
- Bargaining "I know! We can regain control by challenging every finding in the draft report."
- Depression "I guess we just don't know what we're doing."
- Acceptance "I may as well accept the findings. I will use them as a roadmap for improvement."

You're going to go through it (or perhaps you're mired in it now). Our advice: Focus on the future. Don't dwell in the past -- learn from it. Get through these stages as quickly as possible and commit yourself to action.

#### PMR POST-MORTEM

Follow-up actions to your PMR must be submitted to the PMR Program Manager per the following timeline:

Agency Comments on Draft Report

 Due 30 days following receipt of the Draft Report

Corrective Action Plans (for each Recommendation in the report)

 Due 60 days after receipt of Final Report

Don't forget the 1 year follow-up!

 Due 1 year after receipt of Final Report

### WE'RE IN THIS TOGETHER:

Most Defense Agencies (not just yours!) struggle with...

- Unrealistic customer expectations and pressure to obligate funds, leaving little time for acquisition planning, proposal analysis and negotiations.
- Poorly described requirements, necessitating rework after receipt by contracting office.
- Experienced contracting professionals walking out the door, leaving too few experienced personnel to mentor and train new contracting professionals, and get the work done right.
- Plans for replacement of SPS.
- New reporting requirements that must be compiled manually, taking time away from core responsibilities.

Question: Why aren't contract specific findings provided?

Answer: The PMR is intended to recommend improvements to agency processes and policies, not cite deficiencies in individual contract files. While a serious problem in a particular contract may be identified, the PMR report is an overarching assessment of agency procedures and oversight.

#### FY 15 PMR Schedule:

Oct 20-Nov 7 Defense Human Resource Activity

Jan 26-Feb 13 Defense Microelectronics Activity

Mar 2-12 Defense Finance and Accounting Service

Apr13-May 1 Jun 1-19

Jul 13-31

Washington Headquarters Service Defense Security Service Defense Intelligence Agency